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DATE FILED:

6/19/08

United States Attorney

Southern District of New York

The Silvio J. Molloy Building

One Saint Andrew's Plaza

New York, New York 10007

June 18, 2008

RECEIVED

JUN 18 2008

U.S. DISTRICT JUDGE  
S.D.N.Y.**BY HAND**

The Honorable Harold Baer, Jr.  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**Re: United States v. Antonio Scott and O'Kene White**  
**08 Cr. 360 (HB)**

Dear Judge Baer:

The Government respectfully requests that the Court order the exclusion of time between yesterday's pre-trial conference and the date currently set for argument on pre-trial motions, August 5, 2008, on the basis that the ends of justice served by such a continuance outweigh the interests of the defendant and the public in a speedy trial. To date, the Government has produced to the defense approximately three hundred pages of Rule 16 material in addition to two CDs containing photographs. The requested exclusion of time will provide the defendants and their counsel with an opportunity to review the discovery material and to prepare any motions that they wish to file.

I have sought the consent of counsel for each defendant to this request. On June 17, 2008, I received voice mail message from Martin J. Siegel, counsel for defendant O'Kene

White, consenting to this request. I have also sought the consent of Curtis J. Farber, counsel for defendant Antonio Scott, via email and telephone messages, but I have not yet received a response from him.

Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney  
Southern District of New York

By: 

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Assistant United States Attorney  
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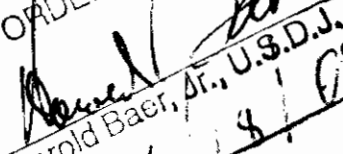
Cc (by Fax):

Curtis J. Farber, Esq.  
(212) 226-3244 (fax)

Martin J. Siegel, Esq.  
(212) 349-1451 (fax)

*Time will be included  
to August 5, 2008*

SO ORDERED:

  
Harold Baer, Jr., U.S.D.J.

Date: 6/18/08